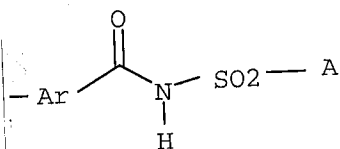


**REMARKS:**

In response to the outstanding Restriction Requirement, the applicants hereby elect Group IV, namely claims 18 and 20-21 directed to compounds of formula II and their preparation. This rejection is with traverse, as the Examiner has not established that the claims of Group I-V do not relate to a single general inventive concept. The Examiner as alleged that the compounds of the various groups do not define a contribution over the prior art, but has cited no prior art to support this conclusion. Accordingly, under PCT Rule 13.1 and 13.2 the restriction requirement is improper and should be withdrawn.

It is noted that the claims of Group II have been improperly characterized as drawn to the preparation of compounds of formula (V). Claim 7, from which claims 8-10 depend, is directed to the preparation of compounds of formula II, wherein the compounds of formula (V) are obtained as intermediate which is then reduced to provide the compounds of formula II. Claim 7 has been rewritten to clearly bring out the fact that that claim is directed to the preparation of compounds of formula II, which are the starting compounds utilized in claim 1 in the process for preparing phenyl iso(thio)cyanates of formula 1.

The elected claims of group IV are directed to compounds of formula II. These compounds share a core structure with the compounds of formula I, namely the following:



Accordingly, Group I should be examined together with the compounds of Group IV, and the processes for preparing these respective groups of compounds should remain with the respective compound claims, so that all of Group I and Group IV should be examined together. Since Group II was incorrectly characterized, and is directed to a process for preparing a starting compound of Group I, and involves the method of making the compounds of Group IV, similar to claim 20, Group II should be examined together with Groups I and IV. Furthermore, Group V is directed to producing compounds of formula V, and these compounds are an intermediate in the claimed process for producing the compounds of formula II. Accordingly, Group V should remain with the Groups I, II and IV.

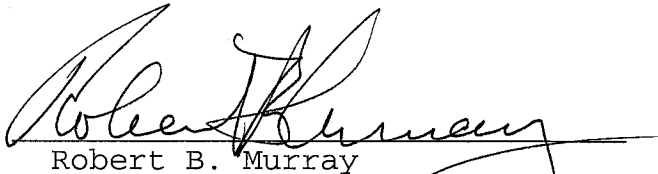
The Examiner's attention is directed to the attached copy of the PCT Gazette-Section IV, No. 24/1996, page 9486. According to the PCT Rules, unity of an invention is found if the chemical structures of the intermediates and the final products are technically closely interrelated. This will be found from the common core structure set forth above, which makes the present situation remarkably similar to that illustrated in the PCT Gazette. The same situation applies for the process claims for

preparing the compounds of Formula I, so that unity of the present invention is clearly established.

Accordingly, reconsideration and modification of the Restriction Requirement to include Groups I, II and V together with the elected Group IV is believed in order and is requested.

Early and favorable action on the merits is awaited.

Respectfully submitted,

By   
Robert B. Murray  
Attorney for Applicant  
Registration No. 22,980  
ROTHWELL, FIGG, ERNST & MANBECK  
1425 K. Street, Suite 800  
Washington, D.C. 20005  
Telephone: (202) 783-6040

RBM/cb

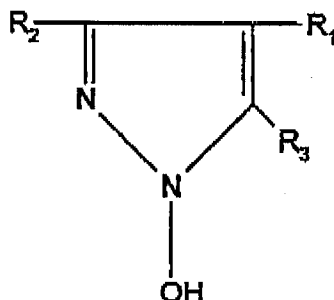
Both catalysts share a common component and a common activity as oxidation catalyst for  $RCH_3$ . With  $(X + a)$  the oxidation is more complete and goes until the carboxylic acid is formed but the activity still remains the same.

A Markush grouping is acceptable.

#### IV. INTERMEDIATE/FINAL PRODUCTS

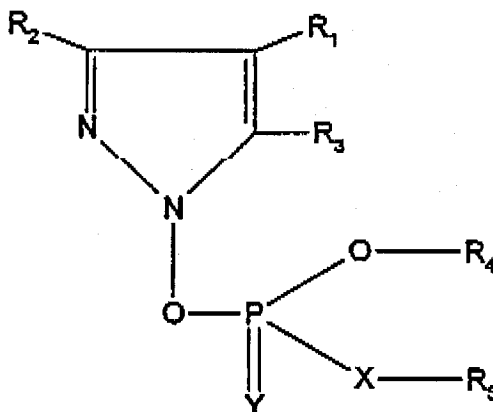
##### Example 25

Claim 1:



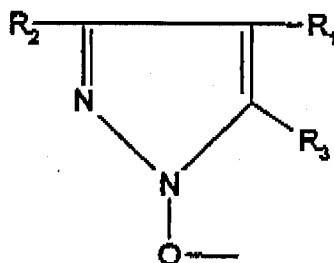
(intermediate)

Claim 2:



(final product)

The chemical structures of the intermediate and final product are technically closely interrelated. The essential structural element incorporated into the final product is:



Therefore, unity exists between claims 1 and 2.